

STATE OF NORTH CAROLINA  
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES  
DIVISION OF ENERGY, MINERAL, AND LAND RESOURCES  
**GENERAL PERMIT NO. NCG150000**

TO DISCHARGE STORMWATER UNDER THE  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

For establishments primarily engaged in:

**Furnishing Transportation by Air, or Operating Airports**

In compliance with the provision of North Carolina General Statute 143-215.1, other lawful standards and regulations promulgated and adopted by the North Carolina Environmental Management Commission and the Federal Water Pollution Control Act, as amended, this permit is hereby issued to all owners or operators, hereafter permittees, which are covered by this permit as evidenced by receipt of a Certificate of Coverage by the Environmental Management Commission to allow the **discharge of stormwater to the surface waters of North Carolina** or separate storm sewer systems conveying stormwater to surface waters in accordance with the terms and conditions set forth herein.

**Coverage under this General Permit is applicable to:**

- ◆ All owners or operators of stormwater point source discharges associated with industrial activity from Air Transportation facilities identified by the SIC Codes in Major Group 45; including air transportation, scheduled, and air courier (SIC 4512 and 4513); air transportation, non-scheduled (SIC 4522); airports, flying fields, except those maintained by aviation clubs, and airport terminal services including: air traffic control, except government; aircraft storage at airports; aircraft upholstery repair; airfreight handling at airports; airport hangar rental; airport leasing, if operating airport; airport terminal services; and hangar operations; and airport and aircraft service and maintenance including: aircraft cleaning and janitorial service; aircraft servicing/repairing, except on a factory basis; vehicle maintenance shops (including vehicle and equipment rehabilitation, cleaning, mechanical repairs, painting, fueling, lubrication); and material handling facilities.
- ◆ Stormwater point source discharges from like industrial activities deemed by The Division of Energy, Mineral, and Land Resources (DEMLR) to be similar to these operations in the process, or the discharges, or the exposure of raw materials, intermediate products, by-products, final products, or waste products.

The General Permit shall become effective on September 1, 2014.

The General Permit shall expire at midnight on August 31, 2017.

Signed this 29th day of August, 2014.

Original signed by William E. Vinson, Jr. for  
Tracy E. Davis, P.E., CPM, Director  
Division of Energy, Mineral, and Land Resources  
By the Authority of the Environmental Management Commission

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## PART I INTRODUCTION

### SECTION A: GENERAL PERMIT COVERAGE

All persons desiring to be covered by this General Permit must register with the Division of Energy, Mineral, and Land Resources by the filing of a Notice of Intent (NOI) and applicable fees. The NOI shall be submitted and a certificate of coverage issued prior to any discharge of stormwater associated with industrial activity that has a point source discharge to the surface waters of the state.

Any owner or operator not wishing to be covered or limited by this General Permit may make application for an individual NPDES permit in accordance with NPDES procedures in 15A NCAC 2H .0100, stating the reasons supporting the request. Any application for an individual permit should be made at least 180 days prior to commencement of discharge.

This General Permit does not cover activities or discharges covered by an individual NPDES permit until the individual permit has expired or has been revoked. Any person conducting an activity covered by an individual permit but which could be covered by this General Permit may request that the individual permit be revoked and coverage under this General Permit be provided.

If industrial materials and activities are not exposed to precipitation or runoff as described in 40 CFR §122.26(g), the facility may qualify for a No Exposure Exclusion from NPDES stormwater discharge permit requirements. Any owner or operator wishing to obtain a No Exposure Exclusion from permitting must submit a No Exposure Certification NOI form to the Division; must receive approval by the Division; must maintain no exposure conditions unless authorized to discharge under a valid NPDES stormwater permit; and must recertify the No Exposure Exclusion annually.

Any facility may apply for new or continued coverage under this permit until a Total Maximum Daily Load (TMDL) for pollutants for stormwater discharges is established. A TMDL sets a pollutant-loading limit that affects a watershed, or portion of a watershed, draining to an impaired water. **For stormwater discharges to watersheds affected by a TMDL, coverage under this permit may depend on the facility demonstrating it does not have reasonable potential to violate applicable water quality standards for those pollutants as a result of discharges.** If the Division determines that discharges have reasonable potential to cause water quality standard violations, the facility shall apply for an individual permit 180 days prior to the expiration date of this General Permit. Once that individual permit is effective the facility will no longer have coverage under this General Permit. Note that the permittee must identify impaired waters (scheduled for TMDL development) and waters already subject to a TMDL in the Site Overview, as outlined in the Stormwater Pollution Prevention Plan (SPPP), Part II, Section A.1. A list of approved TMDLs for the state of North Carolina can be found at <http://portal.ncdenr.org/web/wq/ps/mtu/tmdl>.

## SECTION B: PERMITTED ACTIVITIES

Until this permit expires or is modified or revoked, the permittee is authorized to discharge stormwater to the surface waters of North Carolina or separate storm sewer system which has been treated and managed in accordance with the terms and conditions of this General Permit and the requirements of the permittee's Certificate of Coverage (COC).

The permittee's COC is hereby incorporated by reference into this General Permit. Any violation of the COC is a violation of this General Permit and subject to enforcement action as provided in the General Permit.

Any other point source discharge to surface waters of the state is prohibited unless it is an allowable non-stormwater discharge or is covered by another permit, authorization, or approval. **The stormwater discharges allowed by this General Permit shall not cause or contribute to violations of Water Quality Standards.**

This General Permit does not authorize discharges determined by the Division to be wastewaters. Wash water and rinse water must be directed to a sanitary sewer system or permitted by a separate wastewater permit issued by the Department.

This permit does not relieve the permittee from responsibility for compliance with any other applicable federal, state, or local law, rule, standard, ordinance, order, judgment, or decree.

## **PART II        MONITORING, CONTROLS, AND LIMITATIONS FOR PERMITTED DISCHARGES**

### **SECTION A: STORMWATER POLLUTION PREVENTION PLAN**

The permittee shall **develop and implement** a Stormwater Pollution Prevention Plan (SPPP).

1. The SPPP (or Plan) must include Best Management Practices (BMPs), economically reasonable and appropriate in light of current industry practices, that are selected, designed, installed, implemented, and maintained in accordance with good engineering practices to eliminate or reduce pollutants in the permittee's discharge. The Plan must identify all potential sources of pollution that may reasonably be expected to affect the quality of stormwater discharges; describe and ensure implementation of practices used to eliminate or reduce pollutants in stormwater discharges; and ensure compliance with the terms and conditions of this permit.
2. The Plan shall include, at a minimum, the following items:
  - a. The Plan shall include a list identifying each area where industrial materials or activities are exposed to stormwater. Industrial materials or activities include, but are not limited to: material handling equipment or activities; industrial machinery; raw materials; industrial production and processes; intermediate products, by-products, final products and waste products. Material handling activities include, but are not limited to: the storage, loading and unloading, transportation, disposal, or conveyance of raw material, intermediate products, final products and waste products.
  - b. The Plan shall include a list of the name(s) of all surface waters that receive discharges from the permittee's industrial activities. The permittee must provide the size and description of wetlands or other special aquatic sites that may receive discharges from the airport's industrial activities. If there are discharges through any publicly owned or operated storm sewer system, the Plan must identify the publicly owned or operated storm sewer system.
  - c. The Plan shall include the identity of any receiving water into which the permittee discharges.
  - d. The Plan shall include a list and locations where reportable spills or leaks of pollutants that have occurred at the facility during the three previous years.
  - e. The Plan shall include the location(s) and/or descriptions where potential spills and leaks could occur that could contribute pollutants to stormwater discharges, and the corresponding outfall(s).
  - f. For each area where industrial materials or activities are exposed to stormwater, the Plan shall include a narrative description of storage practices, loading and unloading activities, outdoor process areas, dust or particulate generating or control processes, and waste disposal practices. The Plan shall include a narrative description of the potential pollutants which could be expected to be present in the stormwater discharge from each outfall.

- g. The Plan shall describe and assess the potential for the following activities and facility areas to contribute pollutants to stormwater discharges: aircraft, runway, ground vehicle and equipment maintenance and cleaning; aircraft and runway deicing operations (including apron and centralized aircraft deicing stations, runways, taxiways and ramps). If deicing chemicals are used, the permittee must maintain a record of the types (including the Material Safety Data Sheets [MSDS]) used and the monthly quantities, either as measured or estimated. This includes all deicing chemicals, not just glycols and urea (e.g., potassium acetate), because large quantities of these other chemicals can still have an adverse impact on receiving waters. Commercial tenants or other fixed-based operations that conduct deicing operations must provide the above information to the airport authority for inclusion in the airport authority's Plan. The pollutant list must include all significant materials, including any hazardous substances or oil handled, treated, stored, or disposed of that have been exposed to stormwater in the 3 years prior to the date the Plan was prepared or amended.
- h. Site Plan. The site plan shall provide a description of the physical facility and the potential pollutant sources which may be expected to contribute to contamination of stormwater discharges. The site plan shall contain the following:
  - (i) The size of the property in acres.
  - (ii) A general location map (USGS quadrangle map or appropriately drafted equivalent map), showing the facility's location in relation to transportation routes and surface waters within 1 mile of the site, the name of the receiving water(s) to which the stormwater outfall(s) discharges, or if the discharge is to a municipal separate storm sewer system, the name of the municipality and the ultimate receiving waters, and accurate latitude and longitude of the point(s) of discharge.
  - (iii) A site map drawn to scale (including a distance legend) showing: the site property boundary, on-site and adjacent surface waters and known wetlands, industrial activity areas (including storage of materials, disposal areas, process areas, loading and unloading areas, storage tanks, fueling stations, vehicle and equipment maintenance and/or cleaning areas, machinery, access roads and tracks, transfer areas for substances in bulk, locations used for the treatment, storage or disposal of wastes), locations of all stormwater conveyances including ditches, pipes and swales; stormwater inlets and outfalls, building locations, locations of all existing structural and source control BMPs, the location and extent of significant structures and impervious surfaces, and the percentage of each drainage area that is impervious), and the drainage areas for each outfall. The site map map (or alternatively the general location map) shall identify whether any receiving waters are **impaired** (on the state's 303(d) list of impaired waters) or if the site is located in a **watershed for which a TMDL has been established**, and what the parameters of concern are.
  - (iv) Locations of any storage piles containing salt used for deicing or other commercial or industrial purposes. Storage piles of salt or piles containing salt used for deicing or other commercial or industrial purposes must be enclosed or covered to prevent exposure to precipitation. The permittee must implement appropriate measures (e.g., good housekeeping, diversions,

and/or containment) to minimize exposure resulting from adding to or removing materials from the pile. Piles do not need to be enclosed or covered only if stormwater from the pile is not discharged directly or indirectly to waters of the United States or discharges from the piles are authorized and controlled under another NPDES permit.

- (v) Locations of aircraft and runway deicing operations; fueling stations; aircraft, ground vehicle and equipment maintenance/cleaning areas; storage areas for aircraft, ground vehicles and equipment awaiting maintenance.
- i. The Plan shall contain a narrative description of the best management practices employed which control or minimize the exposure of significant materials to stormwater, including structural and nonstructural measures. The Plan shall describe the type, location and implementation of all BMPs for each area where industrial materials or activities are exposed to stormwater.
- j. Feasibility Study. The Plan shall include a review of the technical and economic feasibility of changing the methods of operations and/or storage practices to eliminate or reduce exposure of materials and processes to stormwater. Wherever practical, the permittee shall prevent exposure of all storage areas, material handling operations, and manufacturing or fueling operations. In areas where elimination of exposure is not practical, the Plan shall document the feasibility of diverting stormwater runoff away from areas of potential contamination.
- k. Secondary Containment Requirements and Records. Secondary containment is required for: bulk storage of liquid materials; storage of Section 313 of Title III of the Superfund Amendments and Reauthorization Act (SARA) water priority chemicals; and storage of hazardous substances, in order to prevent leaks and spills from contaminating stormwater runoff. A table or summary of all such tanks and stored materials and their associated secondary containment areas shall be maintained. If the secondary containment devices are connected directly to stormwater conveyance systems, the connection shall be controlled by manually activated valves or other similar devices (which shall be secured closed with a locking mechanism), and any stormwater that accumulates in the containment area shall be at a minimum visually observed for color, foam, outfall staining, visible sheens and dry weather flow, prior to release of the accumulated stormwater. Accumulated stormwater shall be released if found to be uncontaminated by the material stored within the containment area. Records documenting the individual making the observation, the description of the accumulated stormwater, and the date and time of the release shall be kept for a period of five years. For facilities subject to a federal oil Spill Prevention, Control, and Countermeasure Plan (SPCC), any portion of the SPCC plan fully compliant with the requirements of this permit may be used to demonstrate compliance with this permit.
- l. BMP Summary. The BMP Summary shall include a written record of the specific rationale for installation and implementation of the selected site BMPs. The installation and implementation of BMPs shall be based on the assessment of the potential for sources to contribute significant quantities of pollutants to stormwater discharges. The BMP Summary shall be reviewed and updated annually.



- m. Discharges to waters of the United States that are not authorized by this permit, or by another NPDES permit, or by other authorization or permission are unlawful and must be eliminated. The Plan must include a certification that all discharges (i.e., outfalls) have been tested or evaluated for the presence of non-stormwater discharges, and that all unauthorized discharges have been eliminated. The permittee shall re-certify annually that the stormwater outfalls have been evaluated for the presence of non-stormwater discharges. The certification statement will be signed in accordance with the requirements found in Part III, General Conditions, Section B, Paragraph 5 and must include:
  - i The date of any testing and/or evaluation,
  - ii A description of the evaluation criteria or testing method used,
  - iii A list of the outfalls or onsite drainage points that were directly observed during the test,
  - iv A description of the results of any test and/or evaluation for the presence of non-stormwater discharges, i.e., identification of unauthorized discharge(s) origin and composition,
  - v The action(s) taken to eliminate unauthorized discharge(s), if any were identified. For example, a floor drain was sealed, a sink drain was rerouted to sanitary, or an NPDES permit application was submitted for a cooling water discharge.
  
- n. Spill Prevention and Response Plan. The Spill Prevention and Response Plan (SPRP) shall incorporate an assessment of potential pollutant sources based on a materials inventory of the facility. Facility personnel (or the team) responsible for implementing the SPRP shall be identified in a written list incorporated into the SPRP. A responsible person shall be on-site at all times during facility operations that have the potential to contaminate stormwater runoff through spills or exposure of materials associated with the facility operations. The SPRP must be site stormwater specific. Therefore, an oil Spill Prevention Control and Countermeasure plan (SPCC) may be a component of the SPRP, but may not be sufficient to completely address the stormwater aspects of the SPRP. The common elements of the SPCC with the SPRP may be incorporated by reference into the SPRP. Response procedures must include notification of appropriate facility personnel, emergency agencies, and regulatory agencies, and procedures for stopping, containing and cleaning up spills. Employees who may cause, detect or respond to a spill or leak must be trained in these procedures and have necessary spill response equipment available. Include contact information for individuals and agencies that must be notified in the event of a spill in the Plan and in other locations where it will be readily available.
  
- o. Preventative Maintenance and Good Housekeeping Program. A preventative maintenance and good housekeeping program shall be developed and implemented. The program shall list all stormwater control systems, stormwater discharge outfalls, all on-site and adjacent surface waters and wetlands, industrial activity areas (including material storage areas, material handling areas, disposal areas, process areas, loading and unloading areas, and haul roads), all drainage features and structures, and existing structural BMPs. The program shall establish schedules of inspections, maintenance, and housekeeping activities of stormwater control systems, as well as facility equipment, facility areas, and facility systems that present a potential for stormwater exposure or stormwater pollution. Inspection of material handling areas and regular cleaning schedules of these areas

shall be incorporated into the program. Timely compliance with the established schedules for inspections, maintenance, and housekeeping shall be recorded in writing and maintained.

- p. Employee Training. The Plan shall include a stormwater employee and commercial tenant training program. The permittee must include a schedule for all types of necessary training. All employees and commercial tenants who work in areas where industrial materials or activities are exposed to stormwater, or are responsible for implementing activities identified in the Plan (e.g., inspectors, maintenance personnel), must participate in annual training. Training must cover the components and goals of the Plan, and include spill response, good housekeeping, material management practices, and BMP operation and maintenance. The annual training shall be documented by the signature and printed or typed name of each person, and a record of what was covered in the training (i.e., agenda or description of the training provided).
  - q. Responsible Party. The Plan shall identify staff members (by name or title) responsible for developing, implementing, maintaining, revising and ensuring compliance with the Plan. Specific responsibilities of each staff individual must be identified and listed in the Plan.
  - r. Facility Inspections. Inspections of the facility and all stormwater *systems* shall occur as part of the Preventative Maintenance and Good Housekeeping Program at a minimum on a semi-annual schedule, once during the first half of the year (January to June), and once during the second half (July to December), with at least 60 days separating inspection dates (unless performed more frequently than semi-annually). The Director may require increased inspections and Plan reevaluations as necessary. The inspection and any subsequent maintenance activities performed shall be documented, recording date and time of inspection, individual(s) making the inspection, and a description of the facility's stormwater control systems, equipment, and systems.
3. Implementation. The permittee shall implement the Plan. Implementation of the Plan shall include documentation of all monitoring, measurements, inspections, maintenance activities, and training provided to employees, including the log of the sampling data and a record of actions taken to implement BMPs associated with the industrial activities. Such documentation shall be kept on-site for a period of five years and made available to the Director or the Director's authorized representative immediately upon request. The permittee must maintain all BMPs in effective operating condition at all times. Failure to do so is a violation of this permit. The Plan must describe procedures and a regular schedule for preventive maintenance of all BMPs, including the amount of time required for maintenance and repair, and what back-up practices are in place should a run-off event occur while a BMP is off-line. Nonstructural BMPs must also be diligently maintained (e.g., spill response supplies available, personnel trained). BMPs that are not operating properly must be repaired before the next anticipated storm event. If maintenance prior to the next storm event is not possible, maintenance must be completed as soon as possible, and the permittee must document the justification for the extended repair schedule. In the interim, the permittee must have back-up measures in place to ensure that the quality of the stormwater discharge is not diminished. The permittee must document all BMP maintenance and repairs. Dates of regular maintenance should be documented. For repairs, the date of deficiency discovery and the date on which the BMP was restored to full-function should also be documented.

4. Plan Review and Amendment.

- a. The permittee shall review and amend the Plan whenever there is a change in design, construction, operation, or maintenance which has a significant impact on the discharge, or potential for discharge, of pollutants to surface waters; routine inspection or compliance evaluation determines deficiencies in BMPs; an inspection by a local, State, or Federal official determines that modifications to the Plan are necessary; or there is a spill, leak or other release; or any time there is an unauthorized discharge.
  - b. All aspects of the Plan shall be reviewed and updated on an annual basis. The annual update shall include an updated list of significant spills or leaks of pollutants for the previous three years, or the notation that no spills have occurred. The annual update shall include re-certification that the stormwater outfalls have been evaluated for the presence of non-stormwater discharges. Each annual update shall include a re-evaluation of the effectiveness of the BMPs listed in the BMP Summary of the Stormwater Management Plan.
  - c. Plan modifications must be made within 30 calendar days after discovery, observation or event requiring a modification. Implementation of new or modified BMPs must be initiated before the next storm event if possible, but no later than 60 days after discovery, or as otherwise provided or approved by the Division. The amount of time taken to modify a BMP or implement additional BMPs must be documented.
  - d. If the Plan modification is the result of a release or unauthorized discharge, the permittee must document a description of the release, the date of the release; the circumstances leading to the release and actions taken in response to the release; and measures to prevent the recurrence of such releases. Such documentation shall be kept on-site for a period of five years and made available to the Director or his authorized representative immediately upon request.
  - e. The Director may notify the permittee when the Plan does not meet one or more of the minimum requirements of the permit. The notification will identify specific provisions of this permit that are not being met, and may include required modifications to the permittee's Plan, stipulated deadlines, additional monitoring requirements and special reporting requirements. The permittee shall provide certification in writing (in accordance with Part III, General Conditions, Section B, Paragraph 5) to the Director that the changes have been made.
  - f. A signature and date is required for any revisions to the Plan.
5. If a commercial tenant obtains authorization under this permit and develops a Plan for discharges from the commercial tenant's own areas of the airport, that Plan must be coordinated and integrated with the Plan for the entire airport.
6. The permittee must retain a copy of the current Plan required by this permit at the facility, and it must be immediately available at the time of an on-site inspection.

## SECTION B: QUALITATIVE MONITORING REQUIREMENTS

The purpose of qualitative monitoring is to implement a quick and inexpensive way to evaluate the effectiveness of the permittee's SPPP and to identify the potential for new sources of stormwater pollution. Qualitative monitoring of stormwater outfalls must be performed during a **measurable storm event**.

A **measurable storm event** is a storm event that results in **an actual discharge** from the permitted site outfall. The previous measurable storm event must have been at least 72 hours prior. The 72-hour storm interval does not apply if the permittee is able to document that a shorter interval is representative for local storm events during the sampling period, and the permittee obtains approval from the local DEMLR Regional Office. *See Definitions.*

Qualitative monitoring requires a visual inspection of each stormwater outfall *regardless of* representative outfall status. Qualitative monitoring shall be performed as specified in **Table 1**. Monitoring results shall be recorded on the Qualitative Monitoring Report forms available from the Division's website. Completed forms shall be maintained on site with the SPPP.

**Table 1      Qualitative Monitoring Requirements**

Discharge Characteristics	Frequency <sup>1</sup>	Monitoring Location <sup>2</sup>
Color	Semi-Annual	SDO
Odor	Semi-Annual	SDO
Clarity	Semi-Annual	SDO
Floating Solids	Semi-Annual	SDO
Suspended Solids	Semi-Annual	SDO
Foam	Semi-Annual	SDO
Oil Sheen	Semi-Annual	SDO
Erosion or deposition at the outfall	Semi-Annual	SDO
Other obvious indicators of stormwater pollution	Semi-Annual	SDO

Footnotes:

- 1 Monitoring Frequency: Twice per year (unless other provisions of this permit prompt other frequency) during a **measurable storm event**. See **Table 2** for schedule of monitoring periods. The permittee must continue qualitative monitoring throughout the permit renewal process.
- 2 Monitoring Location: Qualitative monitoring shall be performed at each stormwater discharge outfall (SDO) associated with industrial activity, regardless of representative outfall status (ROS). Monitoring must begin within the first 30 minutes of discharge, and continue until all outfalls are observed.

Qualitative monitoring shall be performed on the schedule included in **Table 2**, during daylight hours. Inability to monitor because of adverse weather conditions or lack of discharge during the monitoring period must be documented in the SPPP and recorded on the Qualitative Monitoring Report (see *Adverse Weather* in Definitions). Only SDOs discharging *stormwater associated with industrial activity* must be monitored (See Definitions).

**Table 2      Qualitative Monitoring Schedule**

<b>Monitoring period<sup>1,2</sup></b>	<b>Sample Number</b>	<b>Start</b>	<b>End</b>
Year 1 – Period 1	1	September 1, 2014	December 31, 2014
Year 1– Period 2	2	January 1, 2015	June 30, 2015
Year 2 – Period 1	3	July 1, 2015	December 31, 2015
Year 2– Period 2	4	January 1, 2016	June 30, 2016
Year 3 – Period 1	5	July 1, 2016	December 31, 2016
Year 3 – Period 2	6	January 1, 2017	August 31, 2017

**Footnotes:**

- 1 Maintain semi-annual monitoring during permit renewal process. If at the expiration of the general permit, the permittee has submitted an application for renewal of coverage before the submittal deadline, the permittee will be considered for renewed coverage. The applicant must continue semi-annual monitoring until the renewed Certificate of Coverage is issued.
- 2 If no discharge occurs during the monitoring period, the permittee must document the occurrence in the SPPP.

**A minimum of 60 days** must separate monitoring dates.

If the permittee's qualitative monitoring indicates that existing stormwater BMPs are ineffective, or that significant stormwater contamination is present, the permittee shall investigate potential causes, evaluate the feasibility of corrective actions, and implement those corrective actions within 60 days of the monitoring event. A **written record** of the permittee's investigation, evaluation, and response actions shall be kept in the SPPP.

<b>Qualitative Monitoring Response</b>
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Qualitative monitoring is for the purposes of evaluating SPPP effectiveness, identifying the potential for new sources of stormwater pollution, and prompting the permittee's response to pollution. *If the permittee repeatedly fails to respond effectively to correct problems identified by qualitative monitoring, or if the discharge causes or contributes to a water quality standard violation, **DEMLR may but is not limited to:***

- require that the permittee institute analytical sampling for suspect chemical and physical parameters
- increase the frequency of qualitative monitoring;
- require the permittee to install structural stormwater controls;
- require the permittee to implement other stormwater control measures;
- require the permittee to perform upstream and downstream monitoring to characterize impacts on receiving waters; or
- require the permittee implement site modifications to qualify for a No Exposure Exclusion.

## **SECTION C: DEICING OPERATIONS**

**Facilities which conduct aircraft and/or runway (including taxiways and ramps) deicing/anti-icing operations shall:**

1. Evaluate present operating procedures to consider alternative practices that would reduce the overall amount of deicing/ anti-icing chemical used and/or lessen the environmental impact of the pollutant source.
2. Evaluate whether excessive application of deicing chemicals occurs and adjust as necessary, consistent with considerations of flight safety.
3. Produce and implement a plan for the minimization of the release of materials used for deicing into the stormwater system. This plan shall address, as a minimum:
  - a. The current use and practices employed at the airport for the control and minimization of entry of the deicing materials into the stormwater system;
  - b. The means that may be practicable for modifying current use and practices to collect the runoff that occurs during and following the application of the deicing materials; and
  - c. Feasible alternatives to the use of urea and glycol-based deicing chemicals to reduce the aggregate amount of deicing chemicals used and/or lessen the environmental impact, consistent with considerations of flight safety.
4. Airport authorities must determine annually the usage rate of deicing/anti-icing chemicals at their facility. The total amount of deicing/anti-icing chemicals used at an airport facility is the cumulative amount used by the airport authority and each commercial tenant of the airport facility. In determining the fluid amounts of deicing/anti-icing chemicals used at a facility, operators should use the pre-dilution volume.
5. Annual usage rate of deicing/anti-icing chemicals shall be reported annually to the state. The Division may require facilities that conduct aircraft and/or runway (including taxiways and ramps) deicing/anti-icing operations to apply for an individual permit.

## PART III STANDARD CONDITIONS FOR NPDES STORMWATER GENERAL PERMITS

### SECTION A: COMPLIANCE AND LIABILITY

#### 1. Compliance Schedule

The permittee shall comply with Limitations and Controls specified for stormwater discharges in accordance with the following schedule:

**Existing Facilities already operating but applying for permit coverage for the first time:** The Stormwater Pollution Prevention Plan shall be developed and implemented within 12 months of the effective date of the **Certificate of Coverage** and updated thereafter on an annual basis. Secondary containment, as specified in Part II, Section A, Paragraph 2(k) of this general permit, shall be accomplished within 12 months of the effective date of the issuance of the **Certificate of Coverage**.

**New Facilities applying for coverage for the first time:** The Stormwater Pollution Prevention Plan shall be developed and implemented prior to the beginning of discharges from the operation of the industrial activity and be updated thereafter on an annual basis. Secondary containment, as specified in Part II, Section A, Paragraph 2(k) of this general permit shall be accomplished prior to the beginning of discharges from the operation of the industrial activity.

**Existing facilities previously permitted and applying for renewal under this General Permit:** All requirements, conditions, limitations, and controls contained in this permit (except new SPPP elements in this permit renewal) shall become effective immediately upon issuance of the **Certificate of Coverage**. New elements of the Stormwater Pollution Prevention Plan for this permit renewal shall be developed and implemented within 6 months of the effective date of this general permit and updated thereafter on an annual basis. Secondary containment, as specified in Part II, Paragraph 2(k) of this general permit shall be accomplished prior to the beginning of discharges from the operation of the industrial activity.

#### 2. Duty to Comply

The permittee must comply with all conditions of this general permit. Any permit noncompliance constitutes a violation of the Clean Water Act (CWA) and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit upon renewal application [40 CFR 122.41].

- a. The permittee shall comply with standards or prohibitions established under section 307(a) of the CWA for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the general permit has not yet been modified to incorporate the requirement [40 CFR 122.41].
- b. The CWA provides that any person who violates section[s] 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any such sections in a permit issued under section 402, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the Act, is subject to a civil penalty not to exceed \$37,500 per day for each violation [33 USC 1319(d) and 40 CFR 122.41(a)(2)].
- c. The CWA provides that any person who negligently violates sections 301, 302, 306, 307, 308, 318, or 405 of the Act, or any condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, or any requirement imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of the Act, is subject to criminal penalties of \$2,500 to \$25,000 per day of violation, or imprisonment of not more than 1 year, or both. In the case of a second or subsequent conviction for a negligent violation, a person shall be

subject to criminal penalties of not more than \$50,000 per day of violation, or by imprisonment of not more than 2 years, or both [33 USC 1319(c)(1) and 40 CFR 122.41(a)(2)].

- d. Any person who knowingly violates such sections, or such conditions or limitations is subject to criminal penalties of \$5,000 to \$50,000 per day of violation, or imprisonment for not more than 3 years, or both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than \$100,000 per day of violation, or imprisonment of not more than 6 years, or both [33 USC 1319(c)(2) and 40 CFR 122.41(a)(2)].
- e. Any person who *knowingly* violates section 301, 302, 303, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than \$250,000 or imprisonment of not more than 15 years, or both. In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than \$500,000 or by imprisonment of not more than 30 years, or both. An organization, as defined in section 309(c)(3)(B)(iii) of the CWA, shall, upon conviction of violating the imminent danger provision, be subject to a fine of not more than \$1,000,000 and can be fined up to \$2,000,000 for second or subsequent convictions [40 CFR 122.41(a)(2)].
- f. Under state law, a civil penalty of not more than \$25,000 per violation may be assessed against any person who violates or fails to act in accordance with the terms, conditions, or requirements of a permit [North Carolina General Statutes § 143-215.6A].
- g. Any person may be assessed an administrative penalty by the Administrator for violating section 301, 302, 306, 307, 308, 318 or 405 of this Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of this Act. Administrative penalties for Class I violations are not to exceed \$16,000 per violation, with the maximum amount of any Class I penalty assessed not to exceed \$37,500. Penalties for Class II violations are not to exceed \$16,000 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed \$177,500 [33 USC 1319(g)(2) and 40 CFR 122.41(a)(3)].

3. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this general permit which has a reasonable likelihood of adversely affecting human health or the environment [40 CFR 122.41(d)].

4. Civil and Criminal Liability

Except as provided in Part III, Section C of this general permit regarding bypassing of stormwater control facilities, nothing in this permit shall be construed to relieve the permittee from any responsibilities, liabilities, or penalties for noncompliance pursuant to NCGS 143-215.3, 143-215.6, or Section 309 of the Federal Act, 33 USC 1319. Furthermore, the permittee is responsible for consequential damages, such as fish kills, even though the responsibility for effective compliance may be temporarily suspended.

5. Oil and Hazardous Substance Liability

Nothing in this general permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject to under NCGS 143-215.75 et seq. or Section 311 of the Federal Act, 33 USC 1321.



6. Property Rights  
The issuance of this general permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations [40 CFR 122.41(g)].
7. Severability  
The provisions of this general permit are severable, and if any provision of this general permit, or the application of any provision of this general permit to any circumstances, is held invalid, the application of such provision to other circumstances, and the remainder of this general permit, shall not be affected thereby [NCGS 150B-23].
8. Duty to Provide Information  
The permittee shall furnish to the Permit Issuing Authority, within a reasonable time, any information which the Permit Issuing Authority may request to determine whether cause exists for modifying, revoking and reissuing, or terminating the general permit issued pursuant to this general permit or to determine compliance with this general permit. The permittee shall also furnish to the Permit Issuing Authority upon request, copies of records required to be kept by this general permit [40 CFR 122.41(h)].
9. Penalties for Tampering  
The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate, any monitoring device or method required to be maintained under this general permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than two years per violation, or by both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than 4 years, or both [40 CFR 122.41].
10. Penalties for Falsification of Reports  
The Clean Water Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this general permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than two years per violation, or by both [40 CFR 122.41].
11. Onshore or Offshore Construction  
This general permit does not authorize or approve the construction of any onshore or offshore physical structures or facilities or the undertaking of any work in any navigable waters.
12. Duty to Reapply  
Dischargers covered by this general permit need not submit a new [Notice of Intent \(NOI\)](#) or renewal request unless so directed by the Division. If the Division chooses not to renew this general permit, the permittee will be notified to submit an application for an individual permit [15A NCAC 02H .0127(e)].

## **SECTION B: GENERAL CONDITIONS**

1. General Permit Expiration  
General permits will be effective for a term not to exceed five years, at the end of which the Division may renew them after all public notice requirements have been satisfied. If a general permit is renewed, existing permittees do not need to submit a renewal request or pay a renewal fee unless directed by the Division. New applicants seeking coverage under a renewed general permit must

submit a Notice of Intent to be covered and obtain a Certificate of Coverage under the renewed general permit [15A NCAC 02H .0127(e)].

2. Transfers

This general permit is not transferable to any person without prior written notice to and approval from the Director in accordance with 40 CFR 122.61. The Director may condition approval in accordance with NCGS 143-215.1, in particular NCGS 143-215.1(b)(4)b.2., and may require modification or revocation and reissuance of the **Certificate of Coverage**, or a minor modification, to identify the new permittee and incorporate such other requirements as may be necessary under the CWA [40 CFR 122.41(l)(3), 122.61] or state statute. **The Permittee is required to notify the Division in writing in the event the permitted facility is sold or closed.**

3. When an Individual Permit May be Required

The Director may require any owner/operator authorized to discharge under a certificate of coverage issued pursuant to this general permit to apply for and obtain an individual permit or an alternative general permit. Any interested person may petition the Director to take action under this paragraph. Cases where an individual permit may be required include, but are not limited to, the following:

- a. The discharger is a significant contributor of pollutants;
- b. Conditions at the permitted site change, altering the constituents and/or characteristics of the discharge such that the discharge no longer qualifies for a general permit;
- c. The discharge violates the terms or conditions of this general permit;
- d. A change has occurred in the availability of demonstrated technology or practices for the control or abatement of pollutants applicable to the point source;
- e. Effluent limitations are promulgated for the point sources covered by this general permit;
- f. A water quality management plan containing requirements applicable to such point sources is approved after the issuance of this general permit;
- g. The Director determines at his or her own discretion that an individual permit is required.

4. When an Individual Permit May be Requested

Any permittee operating under this general permit may request to be excluded from the coverage of this general permit by applying for an individual permit. When an individual permit is issued to an owner/operator the applicability of this general permit is automatically terminated on the effective date of the individual permit.

5. Signatory Requirements

All applications, reports, or information submitted to the Permitting Issuing Authority shall be signed and certified [40 CFR 122.41(k)].

- a. All Notices of Intent to be covered under this general permit shall be signed as follows:
  - (1) For a corporation: by a responsible corporate officer. For the purpose of this Section, a responsible corporate officer means: (a) a president, secretary, treasurer or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation, or (b) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

- (2) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
    - (3) For a municipality, State, Federal, or other public agency: by either a principal executive officer or ranking elected official [40 CFR 122.22].
  - b. All reports required by the general permit and other information requested by the Permit Issuing Authority shall be signed by a person described in paragraph a. above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
    - (1) The authorization is made in writing by a person described above;
    - (2) The authorization specified either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or well field, superintendent, a position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.); and
    - (3) The written authorization is submitted to the Permit Issuing Authority [40 CFR 122.22].
  - c. Changes to authorization: If an authorization under paragraph (b) of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph (b) of this section must be submitted to the Director prior to or together with any reports, information, or applications to be signed by an authorized representative [40 CFR 122.22].
  - d. Certification. Any person signing a document under paragraphs a. or b. of this section, or submitting an electronic report (e.g. eDMR), shall make the following certification [40 CFR 122.22]. NO OTHER STATEMENTS OF CERTIFICATION WILL BE ACCEPTED:  
*"I certify, under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."*
  - e. Electronic Reports. The Permit Issuing Authority may require the permittee to begin reporting monitoring data electronically during the term of this permit. The permittee may be required to use North Carolina's Electronic Discharge Monitoring Report (eDMR) internet application for that purpose. For eDMR submissions, the person signing and submitting the eDMR must obtain an eDMR user account and login credentials to access the eDMR system.  
All electronic reports (e.g., eDMRs) submitted to the Permit Issuing Authority shall be signed by a person described in paragraph a. above or by a duly authorized representative of that person as described in paragraph b. A person, and not a position, must be delegated signatory authority for eDMR or other electronic reporting purposes.
6. General Permit Modification, Revocation and Reissuance, or Termination  
The issuance of this general permit does not prohibit the Permit Issuing Authority from reopening and modifying the general permit, revoking and reissuing the general permit, or terminating the general permit as allowed by the laws, rules, and regulations contained in Title 40, Code of Federal Regulations, Parts 122 and 123; Title 15A of the North Carolina Administrative Code, Subchapter 2H .0100; and North Carolina General Statute 143-215.1 et al.

After public notice and opportunity for a hearing, the general permit may be terminated for cause. The filing of a request for a general permit modification, revocation and reissuance, or termination does not stay any general permit condition. The **Certificate of Coverage** shall expire when the general permit is terminated.

7. Certificate of Coverage Actions  
Coverage under the general permit may be modified, revoked and reissued, or terminated for cause. The notification of planned changes or anticipated noncompliance does not stay any general permit condition [40 CFR 122.41(f)].
8. Annual Administering and Compliance Monitoring Fee Requirements  
The permittee must pay the administering and compliance monitoring fee within 30 (thirty) days after being billed by the Division. Failure to pay the fee in timely manner in accordance with 15A NCAC 2H .0105(b)(2) may cause this Division to initiate action to revoke coverage under the general permit.

### SECTION C: OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. Proper Operation and Maintenance  
The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of this permit [40 CFR 122.41(e)].
2. Need to Halt or Reduce Not a Defense  
It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the condition of this general permit [40 CFR 122.41(c)].
3. Bypassing of Stormwater Control Facilities  
Bypass is prohibited and the Director may take enforcement action against a permittee for bypass unless:
  - a. Bypass was unavoidable to prevent loss of life, personal injury or severe property damage; and
  - b. There were no feasible alternatives to the bypass, such as the use of auxiliary control facilities, retention of stormwater, or maintenance during normal periods of equipment downtime or dry weather. This condition is not satisfied if adequate backup controls should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
  - c. The permittee submitted notices as required under, Part III, Section E of this general permit.

If the Director determines that it will meet the three conditions listed above, the Director may approve an anticipated bypass after considering its adverse effects.

### SECTION D: MONITORING AND RECORDS

1. Representative Sampling  
Samples collected and measurements taken, as required herein, shall be characteristic of the volume and nature of the permitted discharge. Analytical sampling shall be performed during a measureable storm event. Samples shall be taken on a day and time that is characteristic of the discharge. All

samples shall be taken before the discharge joins or is diluted by any other waste stream, body of water, or substance. Monitoring points as specified in this general permit shall not be changed without notification to and approval of the Permit Issuing Authority [40 CFR 122.41(j)].

2. Recording Results

For each measurement or sample taken pursuant to the requirements of this general permit, the permittee shall record the following information [40 CFR 122.41]:

- a. The date, exact place, and time of sampling or measurements;
- b. The individual(s) who performed the sampling or measurements;
- c. The date(s) analyses were performed;
- d. The individual(s) who performed the analyses;
- e. The analytical techniques or methods used; and
- f. The results of such analyses.

3. Flow Measurements

Where required, appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges.

4. Test Procedures

Test procedures for the analysis of pollutants shall conform to the EMC regulations published pursuant to NCGS 143-215.63 et. seq, the Water and Air Quality Reporting Acts, and to regulations published pursuant to Section 304(g), 33 USC 1314, of the Federal Water Pollution Control Act, as Amended, and Regulation 40 CFR 136.

To meet the intent of the monitoring required by this general permit, all test procedures must produce minimum detection and reporting levels and all data generated must be reported down to the minimum detection or lower reporting level of the procedure. If no approved methods are determined capable of achieving minimum detection and reporting levels below general permit discharge requirements, then the most sensitive (method with the lowest possible detection and reporting level) approved method must be used.

5. Representative Outfall

If a facility has multiple discharge locations with substantially identical stormwater discharges that are required to be sampled, the permittee may petition the Director for representative outfall status. If it is established that the stormwater discharges are substantially identical and the permittee is granted representative outfall status, then analytical sampling requirements may be performed at a reduced number of outfalls.

6. Records Retention

Visual monitoring shall be documented and records maintained at the facility along with the Stormwater Pollution Prevention Plan (SPPP). Copies of analytical monitoring results shall also be maintained on-site. The permittee shall retain records of all monitoring information, including

- all calibration and maintenance records,
- all original strip chart recordings for continuous monitoring instrumentation,
- copies of all reports required by this general permit, including Discharge Monitoring Reports (DMRs) and eDMR or other electronic DMR report submissions.
- copies of all data used to complete the Notice of Intent to be covered by this general permit.

These records or copies shall be maintained for a period of at least 5 years from the date of the sample, measurement, report or Notice of Intent application. This period may be extended by request of the Director at any time [40 CFR 122.41].

7. Inspection and Entry

The permittee shall allow the Director, or an authorized representative (including an authorized contractor acting as a representative of the Director), or in the case of a facility which discharges through a municipal separate storm sewer system, an authorized representative of a municipal operator or the separate storm sewer system receiving the discharge, upon the presentation of credentials and other documents as may be required by law, to:

- a. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this general permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this general permit;
- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this general permit; and
- d. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location [40 CFR 122.41(i)].

## SECTION E: REPORTING REQUIREMENTS

1. Discharge Monitoring Reports

Samples analyzed in accordance with the terms of this general permit shall be submitted to the Division on Discharge Monitoring Report (DMR) forms provided by the Director or submitted electronically to the appropriate authority using an approved electronic DMR reporting system (e.g., eDMR). DMR forms are available on the Division's website (<http://portal.ncdenr.org/web/lr/npdes-stormwater>). Regardless of the submission method (paper or electronic), submittals shall be delivered to the Division, or appropriate authority, **no later than 30 days from the date the facility receives the sampling results from the laboratory.**

When no discharge has occurred from the facility during the report period, the permittee is required to submit a discharge monitoring report, within 30 days of the end of the specified sampling period, giving all required information and indicating "NO FLOW" as per NCAC T15A 02B .0506.

If the permittee monitors any pollutant more frequently than required by this general permit using test procedures approved under 40 CFR Part 136 and at a sampling location specified in this general permit or other appropriate instrument governing the discharge, the results of such monitoring shall be included in the data submitted on the DMR.

The permittee shall record the required qualitative monitoring observations on the SDO Qualitative Monitoring Report form provided by the Division and shall retain the completed forms on site. Qualitative monitoring results should not be submitted to the Division, except upon DEMLR's specific requirement to do so. Qualitative Monitoring Report forms are available at the website above.

2. Submitting Reports

In General Permits requiring analytical monitoring, two signed copies of Discharge Monitoring Reports (DMRs) shall be submitted to:

Central Files  
Division of Water Resources  
1617 Mail Service Center  
Raleigh, North Carolina 27699-1617

In addition, a separate signed Annual Summary DMR copy shall be submitted to the local DEMLR Regional Office by November 1 of each year. The permittee shall retain the completed original on site.

Visual (Qualitative) monitoring results should not be submitted to the Division unless specifically requested.

Blank DMR forms, Annual Summary DMR forms, and visual monitoring forms are available at the website of the Division's Stormwater Permitting Program:

<http://portal.ncdenr.org/web/lr/npdes-stormwater>

The Permit Issuing Authority may require the permittee to begin reporting monitoring data electronically during the term of this permit. The permittee may be required to use North Carolina's eDMR internet application for that purpose. Until such time that the state's eDMR application is compliant with EPA's Cross-Media Electronic Reporting Regulation (CROMERR), permittees will be required to submit all discharge monitoring data to the state electronically using eDMR and will be required to complete the eDMR submission by printing, signing, and submitting one signed original and a copy of the computer printed eDMR to the address above.

3. Availability of Reports

Except for data determined to be confidential under NCGS 143-215.3(a)(2) or Section 308 of the Federal Act, 33 USC 1318, all reports prepared in accordance with the terms shall be available for public inspection at the offices of the Division. As required by the Act, analytical data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in NCGS 143-215.6B or in Section 309 of the Federal Act.

4. Non-Stormwater Discharges

If the storm event monitored in accordance with this general permit coincides with a non-stormwater discharge, the permittee shall separately monitor all parameters as required under all other applicable discharge permits and provide this information with the stormwater discharge monitoring report.

5. Planned Changes

The permittee shall give notice to the Director as soon as possible of any planned changes at the permitted facility which could significantly alter the nature or quantity of pollutants discharged [40 CFR 122.41(l)]. This notification requirement includes pollutants which are not specifically listed in the general permit or subject to notification requirements under 40 CFR Part 122.42 (a).

6. Anticipated Noncompliance

The permittee shall give advance notice to the Director of any planned changes at the permitted facility which may result in noncompliance with the general permit [40 CFR 122.41(l)(2)].

7. Spills

The permittee shall report to the local DEMLR Regional Office, within 24 hours, all significant spills as defined in Part IV of this general permit. Additionally, the permittee shall report spills including: any oil spill of 25 gallons or more, any spill regardless of amount that causes a sheen on surface waters, any oil spill regardless of amount occurring within 100 feet of surface waters, and any oil spill less than 25 gallons that cannot be cleaned up within 24 hours.

8. Bypass

Notice [40 CFR 122.41(m)(3)]:

- a. Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass; including an evaluation of the anticipated quality and affect of the bypass.
- b. Unanticipated bypass. The permittee shall submit notice within 24 hours of becoming aware of an unanticipated bypass.

9. Twenty-four Hour Reporting

- a. The permittee shall report to the central office or the appropriate regional office any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee became aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances.

The written submission shall contain a description of the noncompliance, and its causes; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time compliance is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance [40 CFR 122.41(l)(6)].

- b. The Director may waive the written report on a case-by-case basis for reports under this section if the oral report has been received within 24 hours.
- c. Occurrences outside normal business hours may also be reported to the Division's Emergency Response personnel at (800) 662-7956, (800) 858-0368 or (919) 733-3300.

10. Other Noncompliance

The permittee shall report all instances of noncompliance not reported under 24 hour reporting at the time monitoring reports are submitted [40 CFR 122.41(l)(7)].

11. Other Information

Where the Permittee becomes aware that it failed to submit any relevant facts in a Notice of Intent to be covered under this general permit, or submitted incorrect information in that Notice of Intent application or in any report to the Director, it shall promptly submit such facts or information [40 CFR 122.41(l)(8)].



## PART IV DEFINITIONS

1. Act  
See Clean Water Act.
2. Adverse Weather  
Adverse conditions are those that are dangerous or create inaccessibility for personnel, such as local flooding, high winds, or electrical storms, or situations that otherwise make sampling impractical. When adverse weather conditions prevent the collection of samples during the sample period, the permittee must take a substitute sample or perform a visual assessment during the next qualifying storm event. Documentation of an adverse event (with date, time and written narrative) and the rationale must be included with your SPPP records. Adverse weather does not exempt the permittee from having to file a monitoring report in accordance with the sampling schedule. Adverse events and failures to monitor must also be explained and reported on the relevant DMR.
3. Allowable Non-Stormwater Discharges  
This general permit regulates stormwater discharges. Non-stormwater discharges which shall be allowed in the stormwater conveyance system are:
  - a. All other discharges that are authorized by a non-stormwater NPDES permit.
  - b. Uncontaminated groundwater, foundation drains, air-conditioner condensate without added chemicals, springs, discharges of uncontaminated potable water, waterline and fire hydrant flushings, water from footing drains, irrigation waters, flows from riparian habitats and wetlands.
  - c. Discharges resulting from fire-fighting or fire-fighting training, or emergency shower or eye wash as a result of use in the event of an emergency.
4. Best Management Practices (BMPs)  
Measures or practices used to reduce the amount of pollution entering surface waters. BMPs may take the form of a process, activity, or physical structure. More information on BMPs can be found at: <http://cfpub.epa.gov/npdes/stormwater/menuofbmps/index.cfm>.
5. Bypass  
A bypass is the known diversion of stormwater from any portion of a stormwater control facility including the collection system, which is not a designed or established operating mode for the facility.
6. Bulk Storage of Liquid Products  
Liquid raw materials, manufactured products, waste materials or by-products with a single above ground storage container having a capacity of greater than 660 gallons or with multiple above ground storage containers located in close proximity to each other having a total combined storage capacity of greater than 1,320 gallons.
7. Certificate of Coverage  
The **Certificate of Coverage** (COC) is the cover sheet which accompanies a general permit upon issuance and lists the facility name, location, receiving stream, river basin, effective date of coverage under the general permit and is signed by the Director.
8. Clean Water Act  
The Federal Water Pollution Control Act, also known as the Clean Water Act (CWA), as amended, 33 USC 1251, et. seq.
9. Division or DEMLR  
The Division of Energy, Mineral, and Land Resources, Department of Environment and Natural Resources.
10. Director  
The Director of the Division of Energy, Mineral, and Land Resources, the permit issuing authority.

11. EMC  
The North Carolina Environmental Management Commission.
12. Grab Sample  
An individual sample collected instantaneously. Grab samples that will be analyzed (quantitatively or qualitatively) must be taken within the first 30 minutes of discharge.
13. Hazardous Substance  
Any substance designated under 40 CFR Part 116 pursuant to Section 311 of the Clean Water Act.
14. Landfill  
A disposal facility or part of a disposal facility where waste is placed in or on land and which is not a land treatment facility, a surface impoundment, an injection well, a hazardous waste long-term storage facility or a surface storage facility.
15. Measureable Storm Event  
A storm event that results in an actual discharge from the permitted site outfall. The previous measurable storm event must have been at least 72 hours prior. The 72-hour storm interval may not apply if the permittee is able to document that a shorter interval is representative for local storm events during the sampling period, and obtains approval from the local DEMLR Regional Office. Two copies of this information and a written request letter shall be sent to the local DEMLR Regional Office. After authorization by the DEMLR Regional Office, a written approval letter must be kept on site in the permittee's SPPP.
16. Municipal Separate Storm Sewer System (MS4)  
A stormwater collection system within an incorporated area of local self-government such as a city or town.
17. No Exposure  
A condition of no exposure means that all industrial materials and activities are protected by a storm resistant shelter or acceptable storage containers to prevent exposure to rain, snow, snowmelt, or runoff. Industrial materials or activities include, but are not limited to, material handling equipment or activities, industrial machinery, raw materials, intermediate products, by-products, final products, or waste products. DEMLR may grant a No Exposure Exclusion from NPDES stormwater permitting requirements only if a facility complies with the terms and conditions described in 40 CFR §122.26(g).
18. Notice of Intent  
The state application form which, when submitted to the Division, officially indicates the facility's notice of intent to seek coverage under a general permit.
19. Permit Issuing Authority  
The Director of the Division of Energy, Mineral, and Land Resources (see "Director" above).
20. Permittee  
The owner or operator issued a Certificate of Coverage pursuant to this general permit.
21. Point Source Discharge of Stormwater  
Any discernible, confined and discrete conveyance including, but not specifically limited to, any pipe, ditch, channel, tunnel, conduit, well, or discrete fissure from which stormwater is or may be discharged to waters of the state.

22. Representative Outfall Status  
When it is established that the discharge of stormwater runoff from a single outfall is representative of the discharges at multiple outfalls, the DEMLR may grant representative outfall status. Representative outfall status allows the permittee to perform analytical monitoring at a reduced number of outfalls.
23. Secondary Containment  
Spill containment for the contents of the single largest tank within the containment structure plus sufficient freeboard to contain the 25-year, 24-hour storm event.
24. Section 313 Water Priority Chemical  
A chemical or chemical category which:
  - b. Is listed in 40 CFR 372.65 pursuant to Section 313 of Title III of the Superfund Amendments and Reauthorization Act (SARA) of 1986, also titled the Emergency Planning and Community Right-to-Know Act of 1986;
  - c. Is present at or above threshold levels at a facility subject to SARA title III, Section 313 reporting requirements; and
  - d. Meets at least one of the following criteria:
    - i. Is listed in appendix D of 40 CFR part 122 on Table II (organic priority pollutants), Table III (certain metals, cyanides, and phenols) or Table IV (certain toxic pollutants and hazardous substances);
    - ii. Is listed as a hazardous substance pursuant to section 311(b)(2)(A) of the CWA at 40 CFR 116.4; or
    - iii. Is a pollutant for which EPA has published acute or chronic water quality criteria.
25. Severe Property Damage  
Substantial physical damage to property, damage to the control facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
26. Significant Materials  
Includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under section 101(14) of CERCLA; any chemical the facility is required to report pursuant to section 313 of Title III of SARA; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with stormwater discharges.
27. Significant Spills  
Includes, but is not limited to: releases of oil or hazardous substances in excess of reportable quantities under section 311 of the Clean Water Act (Ref: 40 CFR 110.3 and 40 CFR 117.3) or section 102 of CERCLA (Ref: 40 CFR 302.4).
28. Stormwater Discharge Outfall (SDO)  
The point of departure of stormwater from a discernible, confined, or discrete conveyance, including but not limited to, storm sewer pipes, drainage ditches, channels, spillways, or channelized collection areas, from which stormwater flows directly or indirectly into waters of the State of North Carolina.
29. Stormwater Runoff  
The flow of water which results from precipitation and which occurs immediately following rainfall or as a result of snowmelt.
30. Stormwater Associated with Industrial Activity  
The discharge from any point source which is used for collecting and conveying stormwater and which is directly related to manufacturing, processing or raw material storage areas at an industrial site. Facilities considered to be engaged in "industrial activities" include those activities defined in 40

CFR 122.26(b)(14). The term does not include discharges from facilities or activities excluded from the NPDES program.

31. Stormwater Pollution Prevention Plan (SPPP)  
A comprehensive site-specific plan which details measures and practices to reduce stormwater pollution and is based on an evaluation of the pollution potential of the site.
32. Total Maximum Daily Load (TMDL)  
TMDLs are written plans for attaining and maintaining water quality standards, in all seasons, for a specific water body and pollutant. A list of approved TMDLs for the state of North Carolina can be found at <http://portal.ncdenr.org/web/wq/ps/mtu/tmdl>.
33. Toxic Pollutant  
Any pollutant listed as toxic under Section 307(a)(1) of the Clean Water Act.
34. Vehicle Maintenance Activity  
Vehicle rehabilitation, mechanical repairs, painting, fueling, lubrication, vehicle cleaning operations, or airport deicing operations.
35. Visible Sedimentation  
Solid particulate matter, both mineral and organic, that has been or is being transported by water, air, gravity, or ice from its site of origin which can be seen with the unaided eye.
36. 25-year, 24 hour Storm Event  
The maximum 24-hour precipitation event expected to be equaled or exceeded, on the average, once in 25 years.

## Technical Bulletin for N.C. General Stormwater Permit NCG150000



Technical Bulletin for NCG150000, Volume II

Last Revised 9/2/2014

### What activities are covered by this general permit?

Coverage under this General Permit is applicable to all owners or operators of stormwater point source discharges associated with industrial activity from Air Transportation facilities identified by the SIC Codes in Major Group 45; including air transportation, scheduled, and air courier (SIC 4512 and 4513); air transportation, non scheduled (SIC 4522); airports, flying fields, except those maintained by aviation clubs, and airport terminal services including: air traffic control, except government; aircraft storage at airports; aircraft upholstery repair; airfreight handling at airports; airport hangar rental; airport leasing, if operating airport; airport terminal services; and hangar operations; and airport and aircraft service and maintenance including: aircraft cleaning and janitorial service; aircraft servicing/repairing, except on a factory basis; vehicle maintenance shops (including vehicle and equipment rehabilitation, mechanical repairs, painting, fueling, lubrication); and material handling facilities.

### What are the key permit requirements?

- Implement a Stormwater Pollution Prevention Plan (SPPP) (Part II, Section A).
- Provide secondary containment for all bulk storage of liquid materials (Part II, Section A, 2.(k)).
- Perform, document, and report qualitative monitoring during a *measurable storm event* (Part II, Section B).
- Use forms provided by the Division to record qualitative monitoring results (Part II, Section B).
- *Report the annual usage of deicing and anti-icing materials to the DEMLR Central Office* (Part II, Section C).
- Facilities that conduct aircraft and/or runway (including taxiways and ramps) deicing/anti-icing operations must produce and implement a plan for the minimization of the release of those materials into the stormwater system.
- The SPPP should include Best Management Practices (BMPs) to control discharge of pollutants from a facility's stormwater outfalls.

### What are BMPs and why are they important?

BMPs include a variety of practices that help minimize potential for pollutants to get into the stormwater from a facility. There are different types of BMPs:

#### ***Non-structural (practices or activities) BMPs include:***

- \* Eliminating exposure of materials and equipment wherever possible by moving them to indoor locations.
- \* Practicing good housekeeping on-site. Handle and store materials at the facility in an orderly fashion.
- \* Exchanging hazardous materials for non-hazardous ones wherever possible.
- \* Establishing routine leak & maintenance checks to minimize chance of spills. Clean up spills immediately.
- \* Establishing bulk storage tank protocols that minimize the risk of spills during loading and unloading.

#### ***Structural (equipment or devices) BMPs include:***

- \* Containment dikes around the loading areas of bulk liquid storage containers.
- \* Roofs and containment around materials stored outside.
- \* Well-vegetated areas around pavement and operating areas can reduce the pollutants discharged.

## Frequently Asked Questions

### Could I be exempted from an NPDES stormwater permit?

Possibly. A facility subject to the NPDES stormwater regulations that eliminates all potential stormwater exposure may be eligible for a No Exposure Exclusion from a permit. The facility must self-recertify annually that it still fully meets the qualifications of no exposure. A facility may submit an application for this exclusion from permitting using the forms on our website. (See our website address below.)

### What if I sell my business, or the name changes?

You are required to notify DEMLR of those changes, and our specific continuation of permit coverage is subject to the Director's approval. Please submit the Name/Ownership Change Form located on our Program website.



### Do I have to monitor the outfalls?

Yes, you must perform and document semi-annual visual monitoring of stormwater discharges associated with industrial activity at each outfall. Monitoring reports must be maintained on site with the SPPP and must include:

- The monitoring date and time.
- Inspection personnel.
- Nature of the discharge (i.e., runoff or snow melt).
- The visual quality of the stormwater discharge recorded on the forms available on the Program's website.
- Probable sources of any visible stormwater contamination.

### Who inspects me, and for what?

DEMLR regional office staff may visit the site to see if you have the permit, an acceptable SPPP, and that you are following your SPPP. These inspections may be routine or they may be the result of public complaints. *Please take compliance seriously!* Facilities that violate stormwater permit conditions may be subject to fines. Civil penalties of up to **\$25,000 per day** may be assessed for each violation.

### What if I conduct aircraft and/or runway deicing operations?

Facilities that conduct aircraft and/or runway deicing operations must:

- Evaluate operating procedures to consider alternative practices that would reduce the overall amount of deicing/anti-icing chemical used and/or lessen the environmental impact of the pollutant source.
- Evaluate whether excessive application of deicing chemicals occurs and adjust as necessary, consistent with considerations of flight safety.
- Produce and implement a plan for the minimization of the release of materials used for deicing.
- Determine the annual usage rate of deicing/anti-icing chemicals at their facility.
- Annual usage rate of deicing/anti-icing chemicals shall be reported annually to the state.

The Division may require facilities that conduct aircraft and/or runway deicing/anti-icing operations to apply for an individual permit.

## Other resources

In addition to the DEMLR Stormwater Permitting Program's website below, the Division of Environmental Assistance and Customer Service is a valuable resource. The DEACS has specific information about reducing pollutants at various industries. Call (877) 623-6748 or visit:

<http://ncenvironmentalassistance.org>

## Who can help me with questions?

Your questions about stormwater permit requirements can be addressed to the Division's regional and central offices:

Asheville Office.....	(828) 296-4500	Washington Office.....	(252) 946-6481
Fayetteville Office.....	(910) 433-3300	Wilmington Office.....	(910) 796-7215
Mooresville Office.....	(704) 663-1699	Winston-Salem Office....	(336) 771-5000
Raleigh Office.....	(919) 791-4200	Central Office.....	(919) 707-9220



### Helpful Link:

DEMLR Stormwater Permitting Program: <http://portal.nc denr.org/web/lr/stormwater>



## Stormwater Discharge Outfall (SDO) Qualitative Monitoring Report

For guidance on filling out this form, please visit: <http://portal.ncdenr.org/web/lr/npdes-stormwater/>

Permit No.: N/C/\_/\_/\_/\_/\_/\_/\_/\_ or Certificate of Coverage No.: N/C/G/\_/\_/\_/\_/\_/\_/\_/\_

Facility Name: \_\_\_\_\_

County: \_\_\_\_\_ Phone No. \_\_\_\_\_

Inspector: \_\_\_\_\_

Date of Inspection: \_\_\_\_\_

Time of Inspection: \_\_\_\_\_

Total Event Precipitation (inches): \_\_\_\_\_

Was this a "Representative Storm Event" or "Measureable Storm Event" as defined by the permit?  
(See information below.)

☐ Yes ☐ No

*Please verify whether Qualitative Monitoring must be performed during a "representative storm event" or "measureable storm event" (requirements vary, depending on the permit).*

Qualitative monitoring requirements vary. Most permits require qualitative monitoring to be performed during a "representative storm event" or during a "measureable storm event." However, some permits do not have this requirement. Please refer to these definitions, if applicable.

A **"representative storm event"** is a storm event that measures greater than 0.1 inches of rainfall and that is preceded by at least 72 hours (3 days) in which no storm event measuring greater than 0.1 inches has occurred. A single storm event may contain up to 10 consecutive hours of no precipitation.

A **"measurable storm event"** is a storm event that results in **an actual discharge** from the permitted site outfall. The previous measurable storm event must have been at least 72 hours prior. The 72-hour storm interval does not apply if the permittee is able to document that a shorter interval is representative for local storm events during the sampling period, and the permittee obtains approval from the local DWQ Regional Office.

By this signature, I certify that this report is accurate and complete to the best of my knowledge:

\_\_\_\_\_  
(Signature of Permittee or Designee)

**1. Outfall Description:**

Outfall No. \_\_\_\_\_ Structure (pipe, ditch, etc.) \_\_\_\_\_

Receiving Stream: \_\_\_\_\_

Describe the industrial activities that occur within the outfall drainage area: \_\_\_\_\_

**2. Color:** Describe the color of the discharge using basic colors (red, brown, blue, etc.) and tint (light, medium, dark) as descriptors: \_\_\_\_\_

**3. Odor:** Describe any distinct odors that the discharge may have (i.e., smells strongly of oil, weak chlorine odor, etc.): \_\_\_\_\_

**4. Clarity:** Choose the number which best describes the clarity of the discharge, where 1 is clear and 5 is very cloudy:

1      2      3      4      5

**5. Floating Solids:** Choose the number which best describes the amount of floating solids in the stormwater discharge, where 1 is no solids and 5 is the surface covered with floating solids:

1      2      3      4      5

**6. Suspended Solids:** Choose the number which best describes the amount of suspended solids in the stormwater discharge, where 1 is no solids and 5 is extremely muddy:

1      2      3      4      5

**7.** Is there any **foam** in the stormwater discharge?      Yes      No

**8.** Is there an **oil sheen** in the stormwater discharge?      Yes      No

**9.** Is there evidence of **erosion or deposition** at the outfall?      Yes      No

**10. Other Obvious Indicators of Stormwater Pollution:**

List and describe \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Note: Low clarity, high solids, and/or the presence of foam, oil sheen, or erosion/deposition may be indicative of pollutant exposure. These conditions warrant further investigation.**





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County: \_\_\_\_\_ Phone No. \_\_\_\_\_

Inspector: \_\_\_\_\_

Date of Inspection: \_\_\_\_\_

Time of Inspection: \_\_\_\_\_

Total Event Precipitation (inches): \_\_\_\_\_

Was this a "Representative Storm Event" or "Measureable Storm Event" as defined by the permit?  
(See information below.)

☐ Yes ☐ No

*Please verify whether Qualitative Monitoring must be performed during a "representative storm event" or "measureable storm event" (requirements vary, depending on the permit).*

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List and describe \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Note: Low clarity, high solids, and/or the presence of foam, oil sheen, or erosion/deposition may be indicative of pollutant exposure. These conditions warrant further investigation.**